

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

FILED

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DEC 21 2015

United States of America,

Plaintiff's,

Vs.

Joseph Lombardo, Et al,

Defendant(s),

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Case No: 15-CV-1038

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02-CR-1050

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

MEMORANDUM TO CHIEF JUDGE JAMES HOLDERMAN

Comes Now, Charles N. Miceli, Pro se and files a Memorandum to the Office of the Chief Judge James Holderman, of the United States District Court, concerning the fact that Miceli believes a GRAND JURY may be being conducted concerning him and his Testimony in the above styles cases. It is at this time that Miceli feels that it needs to be of record that he wishes to fully cooperate with any GRAND JURY Investigation commencing at this time.

Miceli, who believes he will be a Defendant/Target of any possible GRAND JURY Investigation wishes to state and become of record at this time that he has attempted to surrender himself to the Federal Bureau of Investigation, the United State's Attorney's Office, as well as the Melrose Park, Elmwood Park, Westmont and River Grove Police Departments for a period of over 120 days concerning the Anthony Zizzo investigation and Homicide case.

Miceli states herein that he has written to all the above stated Agencies, and their Top Officials, and has received not one written response or personal contact indicating that the appropriate action was being instituted whatsoever.

The matters at issue would be the MURDER of ANTHONY ZIZZO, formerly of Westmont, Illinois, and Missing since 8/31/2006.

Miceli, has written to all the above cited Officials of the Local Police Departments, their Chief's of Police, and also the Cook County State's Attorney's Organized Crime Unit, admitting to the fact that not only was Miceli responsible for the actual Death of Zizzo, but is willing to divulge the exact location of the body and murder weapon used to execute Zizzo with in '2008.

Furthermore, a Reporter that Miceli is friendly with, named Eli J. James, whom is also a Publisher of American National Publishing Company in Chicago, has gone personally to see the Chief of the Melrose Park Police Department, Chief Sam C. Pitessi, and was told that allegedly the Organized Crime Unit of the U.S. Attorney and State's Attorney's offices were handling the matter presently.

When Mr. James, requested an audience with Chief Pitessi to divulge and ask for Police assistance in locating the Zizzo remains based upon information that this Defendant has voluntarily provided to James, Chief Pitessi became nervous and was unwilling to acknowledge or respond to Mr. James' questions about needing Melrose Park's Police Department's assistance to go locate Zizzo's body. Chief Pitessi told Mr. James that he could not, and would not be able to assist Mr. James with that and directed James to the supposed Organized Crime Supervisor a Mr. Thomas Beasley at the State Attorney's office. However, after leaving the Police Department, and attempting to locate a Thomas Beasley at the Cook County State Attorney's Office, no such person was to be found there in any capacity whatsoever.

After being led astray by the Chief of the Melrose Park Police Department, Mr. James took it upon himself to contact the United States Attorney's Offices in Chicago, and was finally directed

to the Office of the supposed Organized crime Supervisor, a Ms. Marsha McClellan. AUSA Supervisor McClellan, spoke to Mr. James, on 11/18/2015, and advised him that she would get the FBI moving to further a Grand Jury Investigation into this matter at that time. Miceli, then upon his own volition, wrote to AUSA McClellan on 11/19/2015 and again on 11/22/2015 confirming that he was ready, willing and able to enter a voluntary Plea (s) to any charges that would concern the Zizzo Murder and Conspiracy, and that he (Miceli) wanted to be proffered and given an Attorney in order for him to assist the Government in solving the Zizzo case, as well as numerous other matters that were either "Cold Cases" or matters that the U.S. Attorney's office and the FBI had no idea were ongoing criminal acts.

As of 12/1/2015, Miceli has had no contact from any Government Official, but was advised that an ongoing Grand Jury Investigation was underway, therefore Miceli has decided to notify the Chief Judge of the Northern District of his attempts to cooperate with the Prosecutor's and Federal Agencies but had been ignored and rebuffed thus far.

There is additional actions taken on Miceli's behalf by Eli J. James, who also contacted the FBI and was referred to Special Agent Chris Smith of the Chicago Field Office. S/A Smith, told James during several telephone calls, that the FBI would take no action despite the fact that a \$10,000.00 Reward was outstanding, and that James told S/A Smith he had fact solid information obtained from Charles N. Miceli concerning Zizzo's cases.

S/A Smith told James that the FBI, would never believe anything involving Miceli, and that they had no interest in

investigating the fact that Miceli stated to James that Anthony Zizzo's remains and the Weapon that executed him were both concealed inside a Mausoleum at St. Joseph's Cemetery in River Grove, Illinois.

After Being advised of the position the FBI was taking, Miceli wrote to not only S/A Chris Smith on 11/1/2015, but also to the FBI's Special Agent in Charge, Michael J. Anderson on 10/28/2015, 11/17/2015 and on 11/22/2015. Miceli stated in his letters to the FBI that he had vital and easily corroborated, and that he (Miceli) would voluntarily submit to a Poligraph, Debriefing/Interrogation as long as he was given Counsel to ensure that whatever Miceli said, was recorded verbatim, and not adulterated or manipulated by the FBI or U.S. Attorney's Offices.

This Court, Miceli feels need to be made aware that the FBI has decided to Blackball Miceli for the past near 20 plus years, in order to discredit anything he is willing to say or prove. This is based upon no investigation, no proof to any degree that Miceli is not being truthful.

The FBI refuses to perform their obligatory and Lawful duties, because they well know that, should Miceli ever gain any level of credibility, then they, the FBI would be faced with quite an embarrassing situation, that would cause the Bureau to have to explain why it failed to listen to Miceli over the past 20 plus years, and answer to what they were hiding from the Public and Court.

Because of the reluctance and outright refusal of the FBI's Chicago Field Office to take any action, and unwillingness to bring Miceli into be questioned, interviewed or poligraphed, Miceli now notifies this Court asking for intervention and assistance in getting his version of the events and Testimony before the Grand Jury.

It should become of record, and Miceli provides this to the Office of the Chief Judge, in order to establish the fact that, he has tried his personal utmost best to come forth and cooperate fully, and take responsibility for his part in crimes he was involved in or witnessed. However, the FBI and Local Police Agencies seem to be unwilling, unable and totally resistant to the hearing the truth, or attempting to any reasonable degree or level to be convinced that Miceli is being forthright and honest with them.

Despite the fact that Miceli told Eli J. James, the approximate location of the Zizzo body and Murder Weapon, Police and Federal Agents appear unwilling to obtain any Search Warrants to inspect the Mausoleum at St. Joseph's cemetery. These so-called Law Enforcement Professional's, would prefer to ignore, debase and dissuade anyone from listening to Miceli, versus conducting a valid and unbiased investigation of his allegations and confession.

It is not an exhaustive procedure with this specific matter to either totally discredit Miceli or face the facts that he is credible. All the Police and Prosecutor's would be required to do is proffer Miceli, and make any immunity or Plea deals contingent upon actually finding Zizzo's body, and Murder Weapon that killed him, otherwise Miceli could face numerous Federal and State perjury charges, that would well extend his current prison release date from November of '2017 to many years hence.

The refusal of the FBI and Prosecutor's to act, is exactly what Miceli has continued to allege for many years they fear doing anything that would corroborate Miceli, knowing that Miceli is a Defense witness for Joseph "The Clown" Lombardo in Lombardo's Post-Conviction Appeals and Habeas Corpus proceedings, and if Miceli were to be found to be telling the truth about being very much on the inside of the Chicago Mob, as Miceli claims to be, then the entire

Family Secrets case will come under immediate censorship and public scrutiny for being a trumped-up Prosecution, and Witchhunt by the FBI and U.S. Attorney's Offices in Chicago, and all the Family Secrets defendant's would have immediate cause for petitioning the Court for New trials. That is the primary reason that the Government continues to ignore and Blackball anything Miceli brings to the table.

Miceli at this time documents this to the Office of Chief Judge James Holderman, for the purposes of enabling Reporters such as Eli J. James of Euro Folk Radio, Larry Yellen of FOX News Chicago, Natasha Korecki of the Chicago SunTimes Newspaper, and Jamie Kelvan of the Invisible project to be able to report that the highest levels in the Federal and State Prosecution, Law Enforcement and Judicial systems have been fully advised and notified of this matter in documented fact based format. That Miceli stands ready and willing to be scrutinized fairly and legally, and continues to be steadfast in his allegations.

Miceli, will attempt as best he can to aid Reporters like James, Yellen, Korecki and Kelvan by giving them factual details that can easily be corroborated and verified by simple due diligence and basic Investigation of the facts.

Miceli, would much rather and prefer to accomodate the Government by cooperating with them, and by becoming a Federal and State Witness, however the negligence, stubbornness and refusal to listen appears to be precluding this ever taking place until Miceli is able to get either this Court and Office to assist him, or somehow forcing enough of a public outcry that it becomes politically to damaging to the Government and State and Local Officials to continue to cover-up, hide and run from the truth.

Since it appears that it will take action from the Highest level of Law Enforcement and Judicial decision for Miceli to ever get this matter investigated he now places it at the doorstep of Chief Judge Holderman for review.

Miceli,also advises this Court and Judge Holderman specifically of the fact,that despite "Mere Opinions of him" there is no foundation to the FBI's and U.S.Attorney's claims that Miceli is uncredible. In fact there is significant evidence to prove otherwise,in the form of proof that Miceli dating back as far as the 1990 investigation by the U.S. Attorney's Office and FBI of James Jack Novelli (NDIL Case No:92-CRC-373-1)wherein Miceli was applicant number 4 in Novelli's instant indictment for Public Corruption,and Miceli was subpoenaed by AUSA Scott Levine as a cooperating witness for the Government,and there are FBI 302 reports dating to 1989 and 1990 showing that it was actually Miceli who brought Novelli's corruption in the Cook County Sheriff's merit Board to their attention originally.

Furthermore,since as early as '1995 Miceli has been a credible informant,and State and Federal witness for State and Local Prosecutor's and Police in several counties in Illinois and Florida.

These are cases where Miceli's Testimony was crucial to obtaining indictments and convictions,such as he did with his cooperation in the Rock Island County,Illinois case of State of Illinois Vs. Victor Clinton,case No:97 CF 89,and in the cases in Escambia County Florida of State of Florida Vs. Zachary Littleton,and State of Florida Vs. Willard Crowder,and State of Florida Vs. Steve A. Gibson, all of which were very violent cases of Murder,Kidnapping,and or Rape,and in all cases Miceli was either the Key Prosecution witness as he was in the Clinton case out of

Rock Island County, Illinois in 1997, or his undercover cooperation inside various State Prisons was what led Police and Prosecutor's to be able to have enough evidence to win convictions in every single case Miceli cooperated in. Therefore, this Court should question, if Miceli told the absolute truth under oath and stood up under what is well documented cross-examinations by privately paid Attorney's repeatedly and was never, not once impeached, found to be perjurious or to of fabricated any of the evidence he obtained and gave Police and prosecutor's in those cases, then why is it that he is incredible according to the FBI and U.S. Attorney's Offices now.

Because Miceli feels at this time it may enable this Court and Judge Holderman to further verify his credibility, he provides the Court with additional facts about himself and another Federal Offense that should be of great public interest. Miceli on 11/24/2015 wrote to the Office of the Lake County State Attorney, and to the Office of the Lake County Sheriff on 11/28/2015, wherein Miceli told them about his personal involvement with Lake County Commissioner Pamela O. Newton, back in '1993 thru '1994, and the fact that Miceli and Newton took part in a variety of Federal and State Criminal acts in order to get her reelected to Office in the '93-'94 election cycle, to the Lake County Board, where she remains as an elected official to this day.

Miceli has evidence to prove that during the election and campaign for Newton's race in '93, he was sent into Lake County to ensure "by whatever means were necessary" that Newton was reelected. These orders came from both known Mob Men and close mob associates such as Illinois State Representative James A. DeLeo and others in



the Chicago Democratic party. It was irregardless that Newton was a Republican, it was moreso a matter of the fact that certain specific persons within the Chicago Outfit and DeLeo has a serious financial stake in projects and developments ongoing and upcoming in Lake County at that time, and that Newton was 2 crucial things they needed, one was bribable, and the second was manipulable to an extreme. Therefore when Miceli arrived on scene, he was able to extort and cause the false arrest of Newton's primary opponent's Son, which basically enabled Newton to have a unopposed election and breeze back into another term in office.

All of this is well documented, that Miceli who at that time had felony Arrests of his own on record, and it was a discernable fact that Miceli was heavily tied to Organized crime as well at that time. In fact Miceli not only told Newton why he was chosen to help her, but despite the fact that Miceli was a married man with 2 small children, part of his duties he was told by Newton were "to keep her fresh fucked daily", this was in addition to becoming her Campaign manager and Bodyguard. The FBI if they ever investigate this will find News Articles in Lake County Papers, that corroborate Miceli fully about his ties to Newton and the arrest of Orielly's son. He also has ample witnesses he can and will divulge to corroborate the affair with Newton and other factor's to substantiate the Campaign Fraud, Adultery, Extortion of donors and conspiracy to an unquestionable level.

For the past 25 years Miceli has tried his best to assist Prosecutor's and Police Agencies about matters he himself was not a part of, or a party to, but now he is offering to basically help

indict himself. This is being done with the specific and sole purpose to allow the Prosecutor's and Police to be put into a position of either ignoring the fact that Miceli has committed Murders, and a host of other crimes and will not be held accountable for them ever, or they're faced with investigating Miceli, discovering he is in fact telling the truth and finally dealing with the fact that a lot of what they (the FBI) has ignored over the past 25 years was a grave mistake by the FBI, and they will have to admit it, and accept blame and consequence for their negligence publically.

It is at this time that Miceli placed liability and accountability at the doorstep of Judge Holderman as an Officer of the Court, a licensed Attorney and Judicial branch administrator at the Federal level. Miceli advises this Court and Judge Holderman that he (Miceli) has he feels violated 18 USC § 602 and 603, 18 USC § 1111, 18 USC § 1117, 18 USC § 1958, 18 USC § 1961, and in addition many possible Illinois State Statutes as well.

Miceli states that Judge Holderman should acknowledge the fact that Miceli admits and is fully aware that pursuant to and in accordance with 18 USC § 1621 ( 1 and 2), as well as under 28 USC § 1746, that this Memorandum falls under the perjury codes and punishments. Should Miceli be found to be falsifying or fabricating anything herein, or to the Court or Prosecutor's or Federal Agents he acknowledges that he would face up to 5 years in Federal prison per count, if proven to of been untruthful herein or with authorities.

However, with this admission Miceli, states that all stated herein is true and correct and will sign it under oath and present it to the Court and Media for review and investigation.

This in and of itself should prove to Judge Holderman, in addition to the fact that Miceli will be released from his current prison sentence no later than November of '2017, that Miceli would have to be insane (which he is not) to bring such scrutiny upon himself and seek an indictment for Major Criminal Charges that carry Life Sentences, if he felt for an instant that what he knew, what proof he had and above all else what evidence he could locate, produce or lead Federal Agents to would not win him witness status and a substantial assistance credit and proffer agreement that would limit any Sentence he would receive after pleading to these charges. Absent that Miceli if found to be scamming or lying, could face the rest of his life in prison as well, if the Government so chose to prosecute him for every lie they proved he told. Therefore, it is with absolute confidence that either the truth will be finally uncovered or the Government will prove itself the ones with something to hide from, that I Charles N. Miceli tender this Memorandum to Chief Judge Holderman at this juncture.

#### CONCLUSION

Wherefore, this Memorandum to U.S. District Court Chief Judge James Holderman, of the United States District Court, for the Northern District of Illinois', Eastern Division, is hereby provided to his Honor for review and all appropriate Legal action as he deems fit. I Charles N. Miceli, invoke Judge Holdermans' duty as a sitting Federal District Court Judge and as a Licensed Attorney to act in accordance with the Judicial Code of Conduct, and within the Ethical and Professional codes of Conduct imposed upon him by, not only his oath of Office, but his admission to the Illinois and Federal Bar as

well, that require him in all his capacities to ensure that this Memorandum is taken into the context in which it is written, which is basically a Confession and Admission of participation, and culpability in the criminal acts as stated to herein by Charles N. Miceli, and to report this to the proper authorities and Prosecutor's, and to see to it that action and investigation commence as the Federal and State Law requires, that Judge James Holderman has taken several different Oaths to Uphold, Protect and Enforce.

Miceli further states that as it appears, regardless to the fact that a \$10,000.00 Reward has been offered by the FBI and Westmont Police Department for Information concerning the Disappearance of Anthony Zizzo, that the Information I, Charles N. Miceli have provided to Eli J. James has been unlawfully ignored, debased and discarded by Federal and State Officials. I feel that once a proper investigation is forced to be conducted this Court and Judge Holderman specifically should be inclined to report to both the Attorney General and Director of the FBI, the misconduct and failure to perform their duties of all involved at Federal levels, and to demand that those involved be subjected to indepth internal investigation by the appropriate offices of the Inspector General and Independant Counsel for Criminal and Administrative charges as are appliciable to each.

Due to the Negligence and ambivalence of the FBI and other Agencies, it has left Miceli, and the witnesses he has with little other choice than to file this document, and any and all other documentation, to any and all other Offices and Officials until some positive action commences. The Courts, FBI and U.S. Attorney's Office has a duty to perform, and they thus far have been grossly negligent

in doing so. This has left Miceli with the issue to resolve of how to get the Zizzo body located and exposed, and should this Court fail to assist Miceli with his plea for assistance and Judicial intervention, then he feels he would be justified in whatever other courses of action he is forced to take, and should not be held accountable or punished for doing such things as going to Reporters with facts and details that should not be disclosed outside a proper Federal and State Investigation of these crimes.

It also must be made of record that for 20 years Miceli has tried to get Federal Agents to Poligraph and Debrief him thoroughly, (not in a ½ assed fashion as was done in '2001), and as a result should Miceli now be charged he asks that this Memeorandum be allowed into evidence as grounds to Mitigate any Sentence he may ever receive, based upon the lengths Miceli has had to go to and employ to Surrender himself and tell the damn truth.

Furthermore, should this Court and Judge Holderman find some menial excuse to deny the request asked for herein, or discount this Memorandum or ignore it, Miceli states that the Zizzo Family will be given copies of this, in order for them to pursue Law Suits against the Government for failure to actually locate the remains of their Family member Anthony Zizzo. This also should be inclusive of and extend to any voters of Lake County who decide to file litigation or action to impeach Pamela O. Newton from Office once the Public is made aware of her Sexual and Illegal activities that aided in her reelections to Office in Lake County under false and very questionable terms.

Finally Miceli states that the Sovereign Immunity that most Public Officials are protected under should be considered

breeched by the intentional and wilful refusal to act as they are required of them under the colors of their Offices and Laws, that govern their appointments, elections and hirings to those positions of Public Service and Trust.

Miceli also states that he is well aware that many Mob Associated persons will and currently are aware of his desire to come forth about Mob relate crimes, and that the Court, Judge Holderman, AUSA Marsha McClellan and S/A Chris Smith should all take notice and will be held liable if they continue to fail to act. Miceli knows that soon as he goes Public or any type of significant Investigation commences he will become a instant Target for Death by the Mob, James A. DeLeo and John DiFronzo and his entire mafia crew. Miceli knows that even at this point by his becoming a Witness for Joseph Lombardo, through Lombardo's Attorney of record David J. Bernstein, that factions of the Chicago Mob who do not want Joseph Lombardo, or James Marcello cleared in the Family Secrets case, have already told Miceli back in '2008 before he began truly cooperating with Bernstein to free Lombardo, that if Lombardo was ever exonerated Miceli would be killed instantly.

The Sovereign Immunity that the negligent Government Officials try to hide behind should be rescinded and overcome by their intentional refusal to perform their duties in regards to Miceli, and by not investigating and placing him under Witness Protection or Indicting the coconspirator's he has identified for years, the Government must be held liable and accountable should Miceli be killed or disappear once he is released from prison.

Miceli is not some raging lunatic, or prone to fanciful dramatic concoctions of fact, he has honestly and forthrightly stated herein the truth as he knows it to be fact, and as he himself has

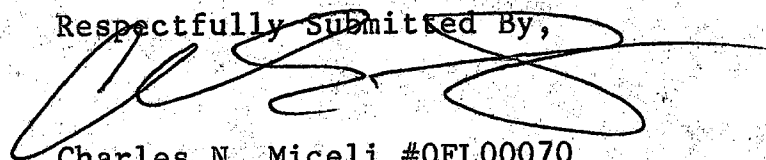
lived through for nearly 4 decades of his life. It must be worth something that Miceli has held numerous High positions in Government as a Police Officer, Correctional Officer, Deputy Clerk of the Circuit Court and other positions in State, County and City Government. It should also be investigated and taken into account that never has Miceli been arrested, charged, tried or convicted of any perjurious criminal offense, and that he has Testified in over 30 trials throughout his Law Enforcement and Civillian careers, and not once been impeached under examination of any sort or to any degree.

Wherefore, Miceli now prays upon the United States District Court, and it's Chief Judge James Holderman to act in accordance with their duties and Lawful obligations to the Offices held at this time and take immediate action after a long and indepth review of this Memorandum, and to also tender copies of it to the appropriate Federal and State Authorities for action and Prosecution.

Miceli also seeks a protective Order for his person, papers and witnesses that will be disclosed under a seperate memorandum to this one, and filed subsequently to this Memorandum as well with Judge Holderman's Office for review and action.

The (4) witnesses signed hereto and below will Testify for Miceli and the Government once called upon and have read this memorandum in it's entirety, in addition to witnessing Miceli execute this document.

Respectfully Submitted By,



Charles N. Miceli #OFL00070  
C/O Limestone Corr. Facility E-66-A  
28779 Nick Davis Rd.  
Harvest, Alabama 35749-7009  
Defendant/Affiant/Witness

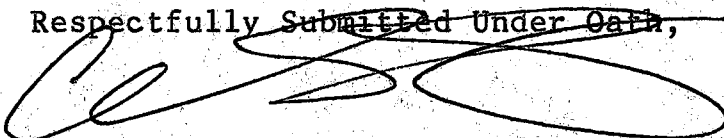
OATH AND CERTIFICATE OF SERVICE

I, Charles N. Miceli, do herein and hereby, under Oath and Penalty of perjury pursuant to, and in full accordance with 28 USC § 1746, do hereby affirm, aver and certify, that I personally have written (typed), read and signed this Memorandum to Chief Judge James Holderman, and state that all within it is true, correct and fact based at this time.

I further state that this document was signed before (4) witnesses of my personal choosing and that they did counter sign this on this 2nd day of December, 2015 along with me.

cc: Eli J. James,  
Larry Yellen,]  
Natasha Korecki,  
Zizzo Family,  
Ausa McClellan,  
file.

Respectfully Submitted Under Oath,

  
Charles N. Miceli #OFL00070  
C/O Limestone Corr. Facility E-66-A  
287798 Nick Davis Rd.  
Harvest, Alabama 35749-7009  
Affiant/Defendant/Witness

WITNESSED BEFORE

We all affirm by our independant Oaths that we witnessed Charles N. Miceli, execute this document before us together, after he allowed us to each read it's contents in full, and we all agree to cooperate and Testify for both Miceli and the United States Government concerning the matters addressed herein, We all sayeth so; on this 2nd day of December, 2015.

  
1. Michael P. Ford #291943

Dated 12/2/2015

  
2. Kevin W. Jung #268843

12/2/2015

  
3. Richard M. Patterson #218648

Dated 12/2/2015

  
4. David T. Wright #170628

Dated 12/2/2015